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VIRGINIA LAW REGISTER.

JNO. GARLAND POLLARD, EDITOR, Richmond, Va.
CHRISTOPHER B. GARNETT, GEORGE C. GREGORY, ASSOCIATE EDITORS.

Issued Monthly at \$5 per Annum. Single Numbers, 50 Cents.

Communications with reference to CONTENTS should be addressed to the EDITOR at Richmond, Va.; BUSINESS communications to the PUBLISHERS.

The presence of Mr. Eugene C. Massie, of Richmond, in the coming General Assembly means that the Torrens system of land registration must be immediately and seriously considered. While the REGISTER favors the reform,

Torrens System. it fully realizes that so radical a change should not be adopted except after thorough consideration. The question is one which has a most intimate relationship to the material progress of the state. Both laymen and lawyers recognize that there should be some reform in land registration, but only lawyers can intelligently consider and apply the remedy, for the question is technical in its nature. In this, as nearly every other reform, the people of the state must look to the bar for guidance. Until the meeting of the coming General Assembly the REGISTER will throw open its columns to an open symposium on the question. In order that it may be intelligently discussed we print in the Miscellany department a copy of the bill which will be introduced. We trust it will be widely and thoroughly studied by the members of the profession, and that they will through our columns give free expression of opinion. We do not ask elaborate discussions, but we urge our readers to let us have at once brief statements of their reasons for or against the bill. Those who are seeking further light on the subject may write us open letters propounding questions, which Mr. Massie has agreed to endeavor to answer.

In order that the question may be still more fully understood, we print immediately following the bill "The Evils of the Present Land Laws" as outlined by Mr. Massie, which evils, it is claimed, will be corrected by the adoption of the Torrens system.

Those studying the subject will find great profit in reading carefully the address of Mr. Massie delivered at the recent meeting of the Virginia Bar Association, and printed in this number.

About 120 of the members of the Virginia State Bar Association were present at the recent annual meeting held at Old Point, Va., August 8-10. No Virginia lawyer could have looked in upon

the body in session without being proud of it.

Bar Association Meeting. The papers read were of a high literary order, the utmost good fellowship prevailed, and the appearance of the members themselves bespoke refinement, intellectuality, character and force. Hon. A. P. Thom, the president, failed to prepare the customary annual address. This was very disappointing to the members, and nothing but his surpassing popularity saved him from severe criticism for this seeming lack of appreciation of the high honor his brethren of the bar had bestowed upon him. It is due Mr. Thom, however, to say that his recent election as general counsel for the Southern Railway had put upon him very unusual burdens.

Early in the session Hon. S. S. P. Patteson, of Richmond, offered an amendment to the constitution changing the method of electing officers. At present all officers, including the executive committee, are nominated by a special committee appointed by the president. The change proposed contemplated that the officers should be nominated by a committee composed of one member from each of the five grand divisions of the State, such member to be elected by the members present from such divisions. The proposition brought forth a spirited debate, and was laid upon the table by a close vote. There is evidently a decided feeling that the members should be more intimately concerned in the election of the officers, though we know of not a single instance where an officer has been selected who was not thoroughly satisfactory to the body. Surely the roll of the presidents is a roll of honor. Every one of the seventeen have been pre-eminent lawyers. The secretaries, too, have been wisely chosen. And just here we should say the retirement of Mr. Massie from the secretaryship, which he has so long and successfully filled, was universally regretted. There can be no doubt that the success of the Association in recent years is largely due to his efforts. John B. Minor, of Richmond, was elected in his stead. Mr. Minor's wide acquaintance and popularity with the bar will be of great value in the performance of his duties.

The first paper read was that of Mr. Massie on the Torrens

System. He made a strong presentation of the cause with which his name has become identified. By his persistent advocacy he has convinced many of the leaders of the bar that the System should be adopted, yet we think we discovered that it will meet with decided opposition in the coming General Assembly. Judge A. A. Phlegar and Mr. Joseph L. Kelly are known to be against the measure. Both of these gentlemen are from the Southwest, where land titles are frequently in litigation. During the meeting of the Association, the Torrens System was the principal topic of discussion, but comparatively few of the objections raised to it were aimed at the essentials of the System, but mainly at such features of the proposed bill as might be dispensed with without destroying the measure itself. The establishment of a separate court for the administration of the System is perhaps the most unpopular provision of the bill.

Judge Phlegar read an interesting paper on the Action of Ejectment. Who but Judge Phlegar could have made such a subject interesting? Lawyers will do well to read this paper. It is a real contribution to the subject and will be specially helpful to those whose ejectment practice has not been sufficiently extensive to acquaint them fully with the action. The Judge failed to mention that our statutes on the subject are practically identical with those of a number of States, and that a study of the decisions of such states upon the statutes would often aid in the solution of controverted questions of construction.

Mr. William L. Royall, of Richmond, read a most valuable paper on Lord Mansfield's relation to our law. Members of the bar would do well to read it in the forthcoming report of the Association.

Hon. Hannis Taylor, LL. D., delivered the annual address. His subject was, "Judge-Made Law,"—a term much misunderstood. If all of us understood the term to mean the same thing much of the controversy concerning the legitimate function of judge-made law would disappear. Dr. Taylor's address was not controversial, as might have been expected from his theme, but it was rather historical, tracing the all-important and necessary part of judge-made law in the development of our jurisprudence. Dr. Taylor's paper was learned and will attract the attention of all students of the history of law.

The Association adopted the report of the Committee on Library and Legal Literature recommending the passage of a statute establishing the office of "Official Draftman and Compiler," among whose duties are the examination in respect to their form, of all bills reported favorably, with the aim of avoiding repetition, and unconstitutional provisions, and insuring accuracy of text and references and clearness and conciseness in phraseology. In our next issue we will print in full the draft of the bill proposed by the committee and approved by the Association.

The following officers were elected for the year:

President—Archer A. Phlegar, of Montgomery.

Vice-Presidents—John S. Barbour, of Culpeper; George D. Grattan, of Rockingham; J. Boyd Sears, of Mathews; C. T. Lassister, of Petersburg; T. F. Bullitt, of Wise.

New Members of the Executive Committee—Joseph L. Kelley, of Bristol, to succeed M. P. Burks, resigned; John Garland Pollard, of Richmond, and Thomas C. Gordon, of Richmond.

Secretary—John B. Minor, of Richmond.

Delegates to the American Bar Association—Lucien H. Cocke, Roanoke; S. S. P. Patteson, Richmond; Samuel Griffith, Bedford City.

The meeting was followed by the usual banquet, with its toasts full of refined wit and humor of the highest type. Thus closed one of the most successful meetings of an organization which has done and is doing much to extend among its members a spirit of good fellowship and to encourage high standards of professional life.